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ay: DAN KUEY  
HARRY TAYLOR

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# STATE OF ILLINOIS



## ILLINOIS COMMERCE COMMISSION TRANSPORTATION DIVISION / RAIL SAFETY SECTION

Michael E. Stead

Rail Safety Program Administrator

January 27, 2005

Mr. Gary A. Mercer  
Mayor, Village of Neoga  
P.O. Box 248  
Neoga, IL 62447-0248

Mr. David D. Johnston  
Neoga Township Highway Commissioner  
608 County Road 1000N  
Neoga, IL 62447

RE: 950N/TR67 (AAR/DOT #289 160P, MP 185.00-M)  
900N/TR85 (AAR/DOT #289 161W, MP 185.65-M)  
850N/TR85A (AAR/DOT #289 162D, MP 186.15-M)  
All located south of Neoga, Cumberland County

Dear Messrs. Mercer and Johnston:

For several years, this office has been working with the Canadian National Illinois Central Railroad (CNIC) and local officials to address safety concerns associated with the subject crossings. Several proposals that would have addressed safety improvements at the crossings, and reduced the instances of CN trains blocking the grade crossings, have been discussed in the past. However none of the previous proposals were agreed upon.

All three existing roadways are approximately 1/2 mile apart, and cross CNIC main and passing tracks. In addition, the northerly two roadways (TR 67 and TR 85) also cross a storage track that is used to provide rail access to a grain elevator located on the east side of US Route 45. The TR 67 and TR 85 crossings are sometimes blocked when one CNIC train is held while waiting to meet or be passed by another train. All of the crossings are equipped only with crossbuck warning signs.

Recently this office received information from the CNIC on a new project proposal that we believe will improve safety at the subject crossings. The proposed project consists of the following components:

- **Close the TR 67 (Cemetery Road) and TR 85 grade crossings.**
- **Construct a connecting road between Cemetery Road and the Village of Neoga.** Local officials would choose the connecting road alignment. Two alignment options are proposed at this time:
  - Construction of a new roadway on and along the westerly 60(+/-) feet of CNIC R.O.W.; the new roadway would essentially be an extension of Chestnut Avenue, from West 4<sup>th</sup> Street in Neoga, to the existing TR 67 crossing location.
  - Construction of a new north-south roadway between TR 67 and Elm Avenue, in the vicinity of West 3<sup>rd</sup> Street, in Neoga.
- **Construct a connecting road between TR 85 and TR 85A** - The new roadway would be built on and along the westerly 60(+/-) feet of CNIC R.O.W. from the TR 85 crossing to the TR 85A crossing.
- **Install automatic flashing light signals and gates at the TR 85A grade crossing, and improve the highway approach grades at the TR 85A crossing.**

[Note: Copies of the proposed connecting roadway layouts are enclosed for your information.]

For previous projects that have addressed similar improvements (i.e., closure of an existing grade crossing and construction of a new connecting roadway), this office has recommended to the Commission that the Grade Crossing Protection Fund (GCPF) be used to pay an amount for construction of a connecting road that is equivalent to what the GCPF would have paid toward the installation of automatic warning devices if a grade crossing were to remain open. In most of those previous cases the GCPF contribution has been sufficient to cover the entire cost of construction for a connecting road. In this instance, based on the cost information provided by the railroad, that will not be the case. Instead, we recommend the following cost divisions:

**TR 67 - Close existing crossing and build new connecting road**

	Total Est. Cost	<u>GCPF</u> Contribution	CNIC Contribution	Village Contribution	Township Contribution
<b>OPTION 1 -</b> Extend Chestnut Avenue from West 4 <sup>th</sup> Street to TR 67	\$245,750	\$208,888	\$36,862	\$0	\$0
<b>OPTION 2 -</b> New Roadway between TR 67 and Elm Avenue	\$229,000	\$194,650	\$34,350	\$0	\$0

CNIC responsible for 100% of cost to close, abolish and barricade the existing crossing

**TR 85 - Close existing crossing and build new connecting road**

Total Est. Cost	<u>GCPF</u> Contribution	CNIC Contribution	Village Contribution	Township Contribution
\$305,250	\$259,463	\$45,787	\$0	\$0

CNIC responsible for 100% of cost to close, abolish and barricade the existing crossing

**TR 85A**

- 1) Install Automatic Flashing Light Signals and Gates, controlled by Constant Warning Time (CWT) circuitry, with Remote Monitors;
- 2) Repair highway approach grades to meet the minimum requirements of 92 IAC 1535

Work Item	Total Est. Cost	GCPF Contribution	CNIC Contribution	Township Contribution
1	\$186,230	\$167,607	\$18,623	\$0
2	N/A	100%	0%	0%

CNIC responsible for all future operating and maintenance costs associated with the automatic warning devices.

Neoga Township responsible for all future maintenance costs associated with the new highway approach grades.

**SUMMARY OF COSTS**

	Total Est. Cost	GCPF Contribution	CNIC Contribution	Village Contribution	Township Contribution
TR 67 - OPTION 1	\$737,230	\$635,958	\$101,272	\$0	\$0
TR 67 - OPTION 2	\$720,480	\$621,720	\$98,760	\$0	\$0

Messrs. Mercer and Johnston  
January 27, 2005  
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The proposed improvements would result in some minor disruption to local highway traffic. However, due to the close proximity of the crossings and the increased train activity in this area, we believe that consolidation of crossings would be the most efficient method to improve public safety. The alternative, installing automatic flashing light signals and gates at all three crossings, would improve public safety, but would not alleviate the problem of trains periodically blocking the TR 67 and TR 85 crossings. The only alternative solution to that problem is for the CNIC to relocate its passing track north of Neoga. It is our understanding the railroad is not prepared to initiate such a project. Further, the Commission does not have authority to direct the railroad to move its passing track.

Please review the information provided here, and advise this office whether you agree with proposed safety improvements by February 18, 2005. If the Village and Township are in agreement with the proposed improvements, we will arrange a meeting of all parties to discuss the details and prepare a Stipulated Agreement for the work.

Thank you for your prompt attention to this matter. If you have any questions, or need additional information, please contact Joe VonDeBur, Railroad Safety Specialist, at 217/557-1286 or [jvondebu@icc.state.il.us](mailto:jvondebu@icc.state.il.us).

Very truly yours,



Michael E. Stead  
Rail Safety Program Administrator

Enclosures

cc: Honorable Dale Righter, State Senator  
Honorable Roger Eddy, State Representative  
Ben Bland, Cumberland County Engineer (w/ Enclosures)  
Tom Zeinz, CN  
Jim Kvedaras, CN

JV

# STATE OF ILLINOIS



## ILLINOIS COMMERCE COMMISSION TRANSPORTATION DIVISION / RAIL SAFETY SECTION

Michael E. Stead

Rail Safety Program Administrator

January 11, 2005

T. R. Zeinz  
Manager Public Works  
Canadian National Railway Company  
17641 S. Ashland Avenue  
Homewood, IL 60430-1345

*TOM*  
Dear Mr. Zeinz:

This is in response to your letter dated December 10, 2004, with which you submitted a proposal for safety improvements at the TR 67 (AAR/DOT #289 160P, milepost 185.00-M), TR 85/900N (AAR/DOT #289 161W, milepost 185.65-M), and TR 85A/850N (AAR/DOT #289 162D, milepost 186.16-M) public highway-rail grade crossings of the Illinois Central Railroad's tracks near Neoga, Cumberland County. I appreciate you forwarding the safety improvement proposal to this office.

I am aware that you and representatives of this office have expended much effort in attempting to convince local officials of the benefits associated with the safety improvements proposed for the referenced crossings. We believe that consolidation of crossings would be the most efficient method to improve public safety. After reviewing the information you provided, I concur with your proposal to close the TR 67 (Cemetery Road) and TR 85 grade crossings, construct a connecting road between Cemetery Road and the Village of Neoga and between TR 85 and TR 85A, and install automatic flashing light signals and gates at the TR 85A grade crossing. Improvements to the highway approach grades at the TR 85A crossing would also be addressed.

For previous projects that have addressed similar improvements (i.e., closure of an existing grade crossing and construction of a new connecting roadway), this office has recommended to the Commission that the Grade Crossing Protection Fund (GCPF) be used to pay an amount for construction of a connecting road that is equivalent to what the GCPF would have paid toward the installation of automatic warning devices if a grade crossing were to remain open. In most of those previous cases the GCPF contribution has been sufficient to cover the entire cost of construction for a connecting road. In this instance, based on the cost information you provided, that will apparently not be the case. Keeping in mind the engineering work your company has already paid for in developing these proposed improvements, as well as railroad right-of-way that may be donated to the roadway projects, we recommend the following cost divisions:

**TR 67 - Close existing crossing and build new connecting road**

(Option 1 Total Est. Cost = \$245,750<sup>1</sup>) (Option 2 Total Est. Cost = \$229,000<sup>1</sup>)

GCPF contribution (85%) \$208,888 GCPF contribution (85%) \$194,650

CNIC contribution (15%) \$36,862<sup>2</sup> CNIC contribution (15%) \$34,350<sup>3</sup>

<sup>1</sup>Village of Neoga and/or Neoga Township to decide which connecting road option would be built;

<sup>2</sup>CNIC contribution for Option 1 includes \$4,000 for feasibility study, \$21,750 value for donated right-of-way, and \$11,112 for roadway construction;

<sup>3</sup>CNIC contribution for Option 2 includes \$4,000 for feasibility study and \$30,350 for roadway construction; CNIC responsible for 100% of cost to close, abolish and barricade the existing crossing

TR 85 - Close existing crossing and build new connecting road  
(Total Est. Cost = \$305,250)

GCPF contribution (85%) \$259,463

CNIC contribution (15%) \$45,787<sup>1</sup>

<sup>1</sup>CNIC contribution includes \$2,500 for feasibility study, \$27,750 value for donated right-of-way, and \$15,537 for roadway construction; CNIC responsible for 100% of cost to close, abolish and barricade the existing crossing

TR 85A - 1) Install Automatic Flashing Light Signals and Gates, controlled by Constant Warning Time (CWT) circuitry, with Remote Monitors  
(Est. Signal Costs = \$186,230)

GCPF contribution (90%) \$167,607

CNIC contribution (10%) \$18,623<sup>1</sup>

<sup>1</sup>CNIC responsible for all future operating and maintenance costs associated with the automatic warning devices.

2) Repair highway approach grades to meet the minimum requirements of 92 IAC 1535

(Est. Roadway Costs = N/A)

GCPF contribution 100%

#### SUMMARY OF COSTS

Total estimated cost of proposed improvements = \$737,230 (TR 67 - Option 1)  
(TR 67; TR 85; TR 85A) \$720,480 (TR 67 - Option 2)

Total GCPF Contribution	\$635,958 <sup>1</sup> (TR 67 - Option 1)
	\$621,720 <sup>1</sup> (TR 67 - Option 2)
Total CNIC Contribution	\$101,272 <sup>2</sup> (TR 67 - Option 1)
	\$98,760 <sup>2</sup> (TR 67 - Option 2)

#### Notes:

<sup>1</sup>GCPF to pay 100% of roadway approach grade improvements at TR 85A crossing;

<sup>2</sup>CNIC contribution includes donation of R.O.W. for TR 67 connecting road (Option 1) and TR 85 connecting road, cost of feasibility study for TR 67 and TR 85 connecting roads, a contribution for roadway construction, and 10% of installation costs for new automatic warning devices at TR 85A crossing.

If you concur with the proposed cost divisions, please advise this office as soon as possible. Upon receipt of your affirmation, we will contact local officials and provide them with information on the proposed safety improvements.

I trust this information will be helpful. If you have any questions, or need additional information please contact me at (217) 557-1285 or [mstead@icc.state.il.us](mailto:mstead@icc.state.il.us), or Joe VonDeBur, Rail Safety Specialist, at (217) 557-1286 or [jvondebu@icc.state.il.us](mailto:jvondebu@icc.state.il.us).

Very truly yours,



Michael E. Stead  
Rail Safety Program Administrator

cc: Jim Kvedaras, CN



United States Region

Tom Zeinz  
Manager Public Works

17641 South Ashland Avenue  
Homewood, Illinois 60430-1345  
T 708.332.3557  
F 708.332.3514

December 10, 2004  
184/3

Mr. Michael E. Stead  
Rail Safety Program Administrator  
Illinois Commerce Commission  
527 East Capitol Avenue  
Springfield, IL 62701

RE: Grade Crossing Improvement Program  
TR-67 (Cemetery Crossing), ICRR MP 185.00, DOT #289 160P  
TR-85 (900N), ICRR MP 185.65, DOT #289 161W  
TR-85A (850N), ICRR MP 186.16, DOT #289 162D  
(South of) Neoga, IL  
Neoga Township  
Cumberland County

Dear Mr. Stead:

For more than seven years, both the Illinois Central Railroad and the Commission's staff have made various attempts to negotiate with local officials concerning improving safety at the above-captioned three (3) crossings of our Champaign Subdivision tracks south of Neoga in Neoga Township, Cumberland County, Illinois.

All three crossings are approximately ½ mile ± apart, cross both the ICRR's main track and passing track and are currently equipped with passive traffic control devices. In addition, the northerly two (2) of these crossings also cross a storage track that is also used to provide rail access to a grain elevator on the east side of US Route 45 formerly served by a now abandoned N&W line. Four (4) daily Amtrak trains traverse these crossings at a maximum authorized speed of 79 MPH. Freight traffic is 20-24 trains per day at a maximum authorized speed of 60 MPH. The northerly crossing (TR-67) is located approximately ½ mile south of Neoga proper and provides access to the local cemetery. Both the northerly and middle (TR-85) crossings are prone to being blocked whenever we have to hold a train in this vicinity while waiting to meet or be passed by another.

One approach to improving safety at these crossings (and the course of action seemingly preferred by local officials) is to install AFLS w/gates at all three of these crossings. In that event, we currently estimate the costs of such installations to be \$173,400; \$164,170 and \$186,230, respectively. Copies of these estimates are attached. However, short of expending some \$2+ million to relocate our passing track north of Neoga, the mere installation of signals and gates at each of these crossings will neither address nor resolve the potential blockage problem. We are of the opinion every effort should be made to close and abolish at least the northerly two (2) of these crossings.

As you are aware, both ICRR and the Commission's staff have made numerous prior attempts to solicit the cooperation of local officials to at least explore the possibility of constructing connecting roads on the westerly side of the tracks so as to be able to eliminate one or both of the northerly of these crossings. So far, the local officials have been reluctant to explore such options and have consistently ignored Commission requests that they develop preliminary cost estimates for establishing alternate access routes. We're unsure whether to interpret this as opposition or simply indifference. In an effort to move this forward, CN engaged a local engineering firm (ESCA Consulting Engineers of Urbana, IL) to explore both the feasibility of, and prepare preliminary plans and cost estimates for, connecting roadways that would facilitate closing the northerly two of these crossings.

Crossing 289 160P (Cemetery Road/TR-67)

ESCA explored 3 options for an alternate access route between the Cemetery crossing (TR-67) and the south end of Neoga proper. Option 1 involved a connecting roadway on and along the westerly 60± feet of ICRR's 200-foot wide ROW, essentially an extension of Chestnut Avenue from West 4<sup>th</sup> Street in Neoga to the present TR-67 crossing location. Option 2 was a north-south connecting road tying into Elm Avenue in the vicinity of West 3<sup>rd</sup> Street. Option 3 was a north-south connecting road along the centerline of Section 18 tying into Trowbridge Road southwest of Neoga.

Enclosed are preliminary plans and cost estimates in the amounts of \$220,000 and \$225,000, respectively for Options 1 & 2. Preliminary plans were not developed for Option 3 as initial estimates indicated it would be considerably more expensive, thus was eliminated from further consideration. It should be noted that Option 1 does not include an allowance for ROW acquisition costs since it was predicated on being constructed on existing Railroad ROW which ESCA presumed would be donated. A 60-foot wide roadway ROW would entail approximately 2.9 acres. Assuming a fair market value of \$7500.00 per acre (the same figure used for ROW acquisition in Option 2), we estimate the value of the "donated" ROW at \$21,750, an amount we presume should be added to the overall cost of Option 1 and subsequently credited towards the Railroad's share if that is the option selected. In addition, CN has expended approximately \$4,000 on preliminary engineering for these two options (not included in the 7% engineering line item shown in the respective estimates). This amount should be added to both estimates and, similarly, credited towards the Railroad's share.

Thus, comparing apples v. apples (including ROW and PE costs), we are looking at total costs of \$245,750 for Alternate Access Option 1 and \$229,000 for Alternate Access Option 2, versus \$173,400 to install AFLS w/gates at this crossing plus any costs associated with improving the crossing approaches. Despite the higher costs of constructing a connecting road, the Railroad is prepared, if need be, to petition to close this crossing as we see no other viable solution to resolving the crossing blockage issues/concerns. We would be amenable to either Option 1 or Option 2 should the local interests indicate a preference.

Mr. Michael E. Stead  
December 10, 2004  
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Crossing 289 161W (TR-85)

ESCA determined the only viable option for an alternate access route to eliminate the TR-85 crossing involved constructing a connecting roadway on and along the westerly 60± feet of ICRR's ROW south from the TR-85 crossing to the TR-85A crossing. Enclosed are preliminary plans and a cost estimate in the amount of \$275,000. It should be similarly noted that this estimate does not include an allowance for ROW acquisition costs since it was also predicated on being constructed on donated existing Railroad ROW. A 60-foot wide roadway ROW would entail approximately 3.7 acres. Again assuming a fair market value of \$7500.00 per acre, we estimate the value of the donated ROW at \$27,750; which should again be added to the overall cost and subsequently credited towards the Railroad's share. In addition, CN has expended approximately \$2,500 on preliminary engineering for this proposal (not included in the 7% engineering line item shown in the estimate). This amount should likewise be added to the estimated cost and, similarly, credited towards the Railroad's share.

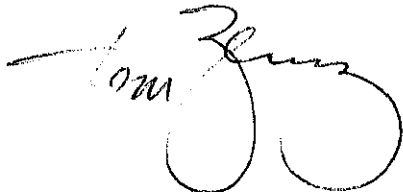
Thus (including ROW and PE costs), we are looking at a total cost of \$305,250 for the connecting road versus \$164,170 to install AFLS w/gates at this crossing plus the costs that would otherwise need to be incurred to improve the crossing approaches. Again, despite the higher costs of constructing a connecting road, the Railroad is prepared, if need be, to petition to close this crossing as we see no other viable solution to resolving the crossing blockage issues/concerns.

Crossing 289 162D (TR-85A)

We propose installing AFLS w/ gates at this two-track crossing. The crossing is located sufficiently close to the south end of the passing track such that crossing blockage should not be an issue. Per above, the estimated cost to install AFLS w/gates at this crossing is \$186,230.

After reviewing the enclosed materials, we would appreciate discussing with you how we might best proceed.

Sincerely,

A handwritten signature in black ink, appearing to read "Tom Z..." with a large, stylized flourish at the end.



Mr. Michael E. Stead  
December 10, 2004  
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bcc: Mr. Gregory Guthrie  
Mr. Michael Barron  
Mr. Dan Kelley  
Mr. Gary Paris  
Mr. Mark Ryon  
Mr. Arne Skrodal  
Mr. Hardy Taylor  
Mr. Dan Painter  
Mr. Dave Bingman  
Ms. Linda Armbruster

Homewood, IL  
August 31, 2004

TO: Gary Paris  
Arne Skrodal

FROM: Tom Zeinz

SUBJECT: ICC Petitions

We've done estimates before for some of these, but need them updated in any event as we're getting ready to file some petitions with ICC and need current estimates:

Location #1 North of Buckley, IL

There are two crossings ½ mile apart, TR-40/1000N (MP 90.40, DOT #289 003W) and TR-587/ 950N (MP 90.90, DOT #289 004D). We're proposing to install AFLS/gates at TR-40, close TR-587 and have the Township construct a connecting road on the west edge of our R-O-W between the two. I believe we have a 2003 estimate for TR-40. This needs to be updated to current prices. Secondly, we need an estimate for also installing AFLS/gates at TR-587 (based on the assumption signals already installed at TR-40) for purpose of determining how much ICC will contribute to cost of building connecting road.

Location #2 South of Buckley, IL

Currently, there is a Township Road crossing, TR-609/500N, at MP 95.65 (DOT #289 014J) and a private crossing at MP 95.60 (DOT #289 013C). US-45 runs parallel to and on the east side of our track. We intend to propose converting the existing private crossing to a public crossing, install AFLS/gates at that location, construct a connecting road on the west edge of our R-O-W from that location to TR-609, and close the TR-609 crossing. (We could just as easily go the other way - close the private crossing and signalize TR-609 - however, US-45 crests just north of both of these crossing and the view for traffic entering US-45 is much better from the private crossing location.) We need an estimate for installing AFLS/gates at the private crossing location. Assume the roadway at the crossing will be widened/rebuild to a 22-foot pavement with 4-foot shoulders on each side.

Location #3 South of Neoga, IL

Currently, there are three crossings that cross Neoga siding, TR-67 (Cemetery Crossing) at MP 185.00, DOT #289 160P; TR-85/900N at MP 185.65, DOT #289 161W; and TR-85A/850N at MP 186.16, DOT #289 162D. Of these, the north two crossings each cross three tracks - main track, siding and a storage track. The south crossing crosses the main and the siding. We will propose closing the north (Cemetery) crossing and constructing a connecting road on the west side of our tracks to hook up with a Neoga city street to the north. We also will propose closing the middle crossing, constructing a connecting road along the west edge of our R-O-W from there to the south crossing, and installing AFLS/gates at the south crossing. We need current estimates for installing AFLS/gates at all three of these crossings. I believe we've estimated these crossings before but, if so, I suspect they're quite out of date. The estimate for the south (TR-85A) crossing should be based on the assumption that the other two crossings will be closed. The estimates for the Cemetery crossing and TR-85 should both be based on the premise that all three crossings will remain open. These latter two are mainly for purpose of determining how much the ICC will contribute to the construction of the connecting roads.

**From:** Tom.Zeinz@CNR  
**To:** Richard.D.Payne[rdp]@escaconsultants.com  
**Sent:** Tuesday, 24 August 2004 10:01am CT  
**Subject:** Re: CN Work Order IL-PW-0301

Rich,

Oops! Sorry. Didn't realize you were waitin' on me.

Final decision on which Option to pursue for Site #3 is really going to be up to the Illinois Commerce Commission and the local agency. For now, eliminate Option #3 as too expensive. My preference would be for Option #2 (least expensive), but there could be resistance to right-of-way acquisition. Option 1 is a tad more costly, but since all on existing railroad r-o-w, know that r-o-w acquisition won't be a problem. I'd like you to develop more detailed info of BOTH Options #1 and #2. We can then present both at ICC hearing and let them choose.

Tom Zeinz

<----- Forwarded letter  
follows----->  
Date: Tuesday, 24 August 2004 7:17am CT  
To: TOM.ZEINZ  
From: Richard.D.Payne[rdp]@escaconsultants.com  
Subject: Re: CN Work Order IL-PW-0301

Tom,

See the attachment. We are waiting on your selection of an Option for Site 3. We were planning to survey Site 3 and Site 5 on the same trip. Consequently, we haven't done any survey at Site 5. Sorry if there is any confusion. Any idea when you might be able to decide on an Option for Site 3? Should we go ahead and survey Site 5 before you decide on Site 3?

Rich

----- Original Message -----  
From: <Tom.Zeinz@cn.ca>  
To: <RDP@ESCAconsultants.com>  
Sent: Monday, August 23, 2004 5:54 PM  
Subject: CN Work Order IL-PW-0301

> Rich,  
>  
> What is latest status of work product under subject CN Work Order for Site  
> #5  
> ?  
>  
> IDOT and ICC have set up meeting to discuss at 1:00 PM on Thursday, August  
> 26,  
> 2004 at District 7 HQ in Effingham.  
>  
> Any chance I could pick up at least preliminaries on my way through  
> Champaign-Urbana Thursday morning on way to meeting?  
>  
>  
> Tom Zeinz  
> 708-332-3557  
> tom.zeinz@cn.ca  
>

